

Notice of Allowability

Application No.

10/686,438

Examiner

Anthony Ojini

Applicant(s)

NOBE, YOSHIFUMI

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to election of claims filed 05/28/04.
2. ☒ The allowed claim(s) is/are 1-12 and 19.
3. ☒ The drawings filed on 14 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/847,012.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Change the title of the invention "Polishing Apparatus and Polishing Method" to --
---- **Polishing Apparatus**-----.

In the specification, on page 1, line 20, change "a polishing head 103" to -----
a polishing head 102-----.

Claims 13-18 have been canceled.

The following is an examiner's statement of reasons for allowance: The specific limitations of "*a contact portion which is positioned at the periphery of the holding recess (5) and is fully contacted to the polishing pad to define a closed space (k2) for positioning the polishing agent between the polishing surface of the object to be polished and the polishing pad; and polishing agent feed control means (41) for controlling the feed of the polishing agent from the polishing agent receiving port into the closed space in response to the amount of the polishing agent in the closed space*" in the combination as claimed in claim 1, is not anticipated or made obvious by the prior in the examiner's opinion. **For example Sato (5,688,364)** discloses a chemical mechanical polishing apparatus in which an object (11) to be polished held at a polishing head (12) and a polishing pad (14) are pressed together and are made to move relative to each

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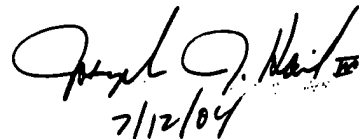
other in a state where a polishing agent **(16)** having a mixture of potassium hydroxide and silicon dioxide is interposed between a polishing surface of the object polished and the polishing pad so as to flatten the polishing surface by chemical mechanical polishing, said apparatus comprising imparting vibration to a polishing agent with an ultrasonic wave vibration applying means transmitter oscillator **(19)** built into the polishing pad holding member **(21)** holding the polishing pad. **However**, the art of record considered as a whole, alone or in combination, fails to provide or suggest, *"a contact portion which is positioned at the periphery of the holding recess (5) and is fully contacted to the polishing pad to define a closed space (k2) for positioning the polishing agent between the polishing surface of the object to be polished and the polishing pad; and polishing agent feed control means (41) for controlling the feed of the polishing agent from the polishing agent receiving port into the closed space in response to the amount of the polishing agent in the closed space"*.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ojini whose telephone number is 703 305 3768. The examiner can normally be reached on 7.30 to 5.00 Tuesday-Friday with every other Monday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703 308 2687. The fax phone numbers for the organization where this application or proceeding is assigned are 703 308 3590 for regular communications and 703 746 3277 for After Finality communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1148.



Joseph J. Hail, III
Supervisory Patent Examiner
Technology Center 3700

AO

June 30, 2004